

AN ORDINANCE BY

CITY UTILITIES COMMITTEE

07-0-1928

TO ABANDON PORTIONS OF LAKESIDE DRIVE BETWEEN KINGSBORO ROAD AND EAST PACES FERRY ROAD AND A PORTION OF OAK VALLEY ROAD BETWEEN KINGSBORO ROAD AND WRIGHT AVENUE; TO ACCEPT LAND FOR THE PURPOSE OF FUTURE PUBLIC ROAD PURPOSES; TO PROVIDE FOR THE INSTALLATION OF TRAFFIC SIGNALS; AND FOR OTHER PURPOSES.

WHEREAS, The City of Atlanta enacted Ordinance Number 06-O-1957, an ordinance abandoning a portion of Lakeside Drive between Kingsboro Road and Wright Avenue; and,

WHEREAS, Ordinance Number 06-O-1957 also provided for the dedication of land to the City of Atlanta for the future improvement and extension of Wright Avenue in exchange for the property abandoned therein; and

WHEREAS, Ordinance Number 06-O-1957 expressly provided that its terms should not result in the City of Atlanta denying or refusing to approve Transportation Impact Fee Credits otherwise due to the landowner exchanging the land at issue therein; and

WHEREAS, The Department of Public Works has determined that the legal descriptions and portions of roadway described in Ordinance Number 06-O-1957 should be modified to reduce curvatures, increase sight distance and otherwise increase traffic safety; and

WHEREAS, The Department of Public Works has determined that, if a traffic warrant justifies same, the intersection of Roxboro Road and Wright Avenue should be signalized in the interests of traffic safety; and

WHEREAS, The Department of Public Works has determined that, if a traffic warrant justifies same, the intersection of Kingsboro Road and Oak Valley Road should be signalized in the interest of traffic safety; and

WHEREAS, Trelcom Development, Ltd., the current landowner of the property which is the subject of this Ordinance, its assigns, and successors, ("Applicant"), has agreed to install the traffic signals warranted for the Roxboro Road/Wright Avenue intersection and Kingsboro Road/Oak Valley Road intersection (hereinafter the "Traffic Signals") at no cost to the City of Atlanta; and

WHEREAS, the applicant has agreed to limit the amount of Transportation Impact Fee Credits it would otherwise be entitled to as a result of the land exchange at no cost to the City of Atlanta; and

WHEREAS, this abandonment request has been reviewed and approved by the City agencies, has followed the major projects review process coordinated by the Department of Planning and Community Development, and reviewed by neighborhood planning units and other applicable entities referenced in Section 138-9(b)(2); and

WHEREAS, the application for abandonment of the right-of-way that is the subject of this Ordinance has received a favorable recommendation from Neighborhood Planning Unit B; and

WHEREAS, the abandonment will not adversely affect traffic flow in the area; and

WHEREAS, the instant application for abandonment of the right-of-way that is the subject of this Ordinance serves to supplement Ordinance 06-O-1957 and includes the additional rights-of-way for dedication and abandonment, traffic signal installation and Transportation Impact Fee caps as more particularly described herein.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the portion of the above-referenced property whose legal description is as shown on the attached Exhibit "A" and which has not already been abandoned pursuant to Ordinance 06-O-1957 is hereby declared no longer useful or necessary for the public's use and convenience.

Section 2: The City's intent is hereby given that said portions of street identified on the attached Exhibit "A" shall be abandoned.

SECTION 3: The City of Atlanta hereby accepts the property, whose legal description is as shown on the attached Exhibit "B," subject to the terms and requirements of this Ordinance.

SECTION 4: Prior to the time that the Applicant purchases the land within the right-of-way which is the subject of this Ordinance or otherwise accepts a quit claim deed for said property, the Applicant will dedicate four (4) feet of property along the subject property's frontage north of Wright Avenue on the improved Lakeside Drive to the City of Atlanta for right-of-way widening purposes. This dedication is a system improvement which will offset the purchase price of the right-of-way property abandoned by this Ordinance.

SECTION 5: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

SECTION 6: Prior to the land exchange proposed herein, the fair market value of the land contained in Exhibit "A" and the land contained in Exhibit "B" will be determined by appraisal. In the event the fair market value of the property contained in Exhibit "A" exceeds the fair market value of the property contained in Exhibit "B," the Applicant agrees to compensate the City of Atlanta in an amount equal to the difference in value and said compensation shall occur prior to or simultaneously with the execution of the deeds described in Section 8 below. In the event the fair market value of the property contained in Exhibit "B" exceeds the fair market value of the property contained in Exhibit "A," the City of Atlanta shall not be required to compensate the Applicant for the difference in value. The requirements of this Section 6 shall not result in the City of Atlanta denying or refusing to approve Transportation Impact Fee Credits otherwise due to Applicant as a result of said dedication and the provision of the Traffic Signals at no cost to the City, provided however that in no event shall Applicant receive Impact Fee Credits in an amount exceeding \$1,168,000.00 for the dedication of property to the City of Atlanta discussed herein.

SECTION 7: Applicant will provide the Traffic Signals, if warranted, as follows: (1) The traffic signal at the intersection of Kingsboro Road and Oak Valley Road, if warranted, will be provided by Applicant at no cost to the City of Atlanta and included in the construction drawings for the first building permit issued among either Buildings A, B, or H, as shown on Exhibit "C". (2) The traffic signal at the intersection of Roxboro Road and Wright Avenue, if warranted, will be

provided by Applicant at no cost to the City of Atlanta and included in the construction drawings for the permit issued by the City of Atlanta to construct Wright Avenue between Lakeside Drive and Roxboro Road.

SECTION 8: The date of execution of this Ordinance by the Mayor shall be the effective date of abandonment.

SECTION 9: The Mayor is hereby authorized to execute all documents, including but not limited to quitclaim deeds, connected with the terms described herein.

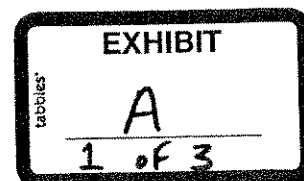
SECTION 10: That all ordinances and parts of ordinances in conflict herewith are hereby waived fir this instance only.

Legal Description:

ROW Abandonment 1

All that tract or parcel of land lying and being in Land Lot 9 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a 1/2 inch rebar set at the intersection of the northerly right of way of Wright Avenue (having a variable right of way width) with the easterly right of way of Oak Valley Road (having a variable right of way width); thence proceed along the northerly right of way of Wright Avenue, North 64 degrees 59 minutes 20 seconds East a distance of 200.00 feet to a 1/2 inch rebar set; thence North 65 degrees 09 minutes 37 seconds East a distance of 365.05 feet to a 1/2 inch rebar set on the southwesterly right of way of Lakeside Drive (having a variable right of way width); thence along said right of way, North 45 degrees 12 minutes 08 seconds West a distance of 30.80 feet to a 1/2 inch rebar set at the Point of Beginning; thence from said Point of Beginning as thus established, North 45 degrees 12 minutes 08 seconds West, a distance of 76.02 feet to a 1/2 inch rebar set; thence North 40 degrees 38 minutes 30 seconds West, a distance of 103.77 feet to a 1/2 inch rebar set; thence North 57 degrees 38 minutes 49 seconds West, a distance of 56.35 feet to a 1/2 inch rebar set; thence North 34 degrees 39 minutes 23 seconds East, a distance of 56.75 feet to a 1/2 inch rebar set; thence South 49 degrees 34 minutes 44 seconds East, a distance of 69.90 feet to a 1/2 inch rebar set; thence South 42 degrees 05 minutes 05 seconds East, a distance of 109.88 feet 1/2 inch rebar set; thence South 37 degrees 46 minutes 48 seconds East, a distance of 76.47 feet to 1/2 inch rebar set; thence following a clockwise curve with an arc distance of 25.09 feet, having a radius of 84.50 feet, subtended by a chord bearing and distance of South 55 degrees 47 minutes 30 seconds West, 25.00 feet; thence South 64 degrees 17 minutes 56 seconds West, a distance of 17.94 feet to a 1/2 inch rebar set being the Point of Beginning.

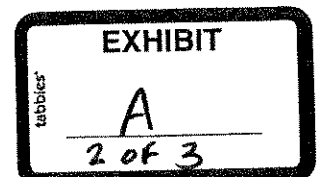


Legal Description:

ROW Abandonment 2

All that tract or parcel of land lying and being in Land Lot 9 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the 1/2 inch rebar set at the intersection of the northerly right of way of East Paces Ferry Road (having a 70 foot right of way width) with the easterly right of way of Lakeside Drive (having a variable right of way width); thence proceed along the easterly right of way of Lakeside Drive, North 28 degrees 15 minutes 17 second West a distance of 14.56 feet to a point being the Point of Beginning; thence from said Point of Beginning as thus established, following a clockwise curve with an arc distance of 29.07 feet, having a radius of 34.50 feet, subtended by a chord bearing and distance of North 53 degrees 05 minutes 15 seconds West 28.22 feet to a 1/2 inch rebar set; thence North 28 degrees 57 minutes 03 seconds West, a distance of 12.48 feet to a point; thence following a counterclockwise curve with an arc distance of 174.76 feet, having a radius of 301.50 feet, subtended by a chord bearing and distance of North 45 degrees 33 minutes 21 seconds West 172.32 feet to a point; thence following a clockwise curve with an arc distance of 42.78 feet, having a radius of 84.50 feet, subtended by a chord bearing and distance of North 47 degrees 39 minutes 20 seconds West, 42.33 feet; thence following a clockwise curve with an arc distance of 3.93 feet, having a radius of 257.00 feet, subtended by a chord bearing and distance of South 66 degrees 24 minutes 03 seconds East, 3.93 feet to a point; thence following a clockwise curve with an arc distance of 231.07 feet, having a radius of 342.75 feet, subtended by a chord bearing and distance of South 47 degrees 32 minutes 24 seconds East, 226.72 feet to a point; thence South 28 degrees 15 minutes 17 seconds East, a distance of 25.45 feet to the Point of Beginning.

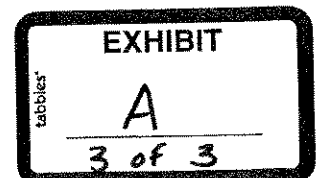


Legal Description:

ROW Abandonment 3

All that tract or parcel of land lying and being in Land Lot 45 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar set at the intersection of the southerly right of way of Kingsboro Road (variable right of way width) with the easterly right of way of Oak Valley Road (variable right of way width); thence from said Point of Beginning as thus established, proceed along the southerly right of way of Kingsboro Road, North 65 degrees 14 minutes 40 seconds East, a distance of 9.86 feet to a point; thence leaving said right of way, South 25 degrees 15 minutes 05 seconds East, a distance of 147.79 feet to a point; thence South 24 degrees 47 minutes 36 seconds East, a distance of 141.07 feet to a 1/2 inch rebar set; thence South 63 degrees 18 minutes 53 seconds West, a distance of 9.86 feet to a 1/2 inch rebar set on the easterly right of way of Oak Valley Road; thence proceed along said Oak Valley Road, the following courses and distances, North 24 degrees 47 minutes 36 seconds West, a distance of 141.07 feet to a 1/2 inch rebar found; thence North 25 degrees 15 minutes 05 seconds West, a distance of 148.12 feet to a point being the Point of Beginning.

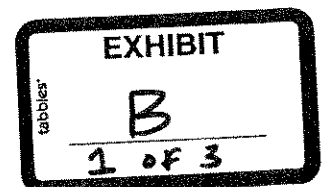


Legal Description:

ROW Dedication 1

All that tract or parcel of land lying and being in Land Lot 9 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar set at the intersection of the northerly right of way of Wright Avenue (having a variable right of way width) with the easterly right of way of Oak Valley Road (having a variable right of way width) being the Point of Beginning; thence from said Point of Beginning as thus established, thence proceed along the easterly right of way of Oak Valley Road, North 24 degrees 54 minutes 28 seconds West, a distance of 21.14 feet to a 1/2 inch rebar set; thence leaving the easterly right of way of Oak Valley Road, North 64 degrees 17 minutes 56 seconds East, a distance of 554.42 feet to a 1/2 inch rebar set on the westerly right of way of Lakeside Drive (having a variable right of way width); thence along said right of way, South 45 degrees 12 minutes 08 seconds East, a distance of 30.80 feet to a 1/2 inch rebar set on the northerly right of way of Wright Avenue (having a variable right of way width); thence along said right of way, South 65 degrees 09 minutes 37 seconds West, a distance of 365.05 feet to a 1/2 inch rebar set; thence continue along said right of way, South 64 degrees 59 minutes 20 seconds West, a distance of 200.00 feet to a 1/2 inch rebar set at the Point of Beginning.

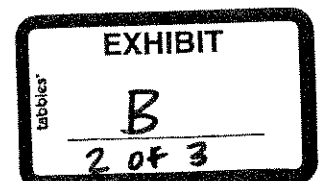


Legal Description:

ROW Dedication 2

All that tract or parcel of land lying and being in Land Lot 9 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a 1/2 inch rebar set at the intersection of the northerly right of way of East Paces Ferry Road (having a 70 foot right of way width) with the easterly right of way of Lakeside Drive (having a variable right of way width); thence proceeding along the easterly right of way of Lakeside Drive, North 28 degrees 15 minutes 17 seconds West a distance of 40.00 feet to a point; thence continuing along said right of way, following a counterclockwise curve with an arc distance of 231.07 feet, having a radius of 342.75 feet, subtended by a chord bearing and distance of North 47 degrees 32 minutes 24 seconds West, 226.72 feet to a point; thence continuing along said right of way, following a counterclockwise curve with an arc distance of 3.93 feet, having a radius of 257.00 feet, subtended by a chord bearing and distance of North 66 degrees 24 minutes 03 seconds West, 3.93 feet to a point being the Point of Beginning; thence from said Point of Beginning as thus established, proceeding along the right of way of Lakeside Drive the following courses and distances, along a clockwise curve with an arc distance of 51.29 feet, having a radius of 257.00 feet, subtended by a chord bearing and distance of North 60 degrees 14 minutes 41 seconds West, 51.21 feet to a point; thence South 86 degrees 40 minutes 49 seconds West, a distance of 43.51 feet to a point; thence North 37 degrees 43 minutes 00 seconds West, a distance of 89.70 feet to a point; thence North 37 degrees 46 minutes 48 seconds West, a distance of 12.72 feet to a point; thence North 37 degrees 46 minutes 48 seconds West, a distance of 10.42 feet to a 1/2 inch rebar set; thence leaving said right of way, following a counterclockwise curve with an arc distance of 15.66 feet, having a radius of 84.50 feet, subtended by a chord bearing and distance of North 41 degrees 58 minutes 34 seconds East, 15.64 feet to a point; thence following a clockwise curve with an arc distance of 53.46 feet, having a radius of 75.50 feet, subtended by a chord bearing and distance of North 56 degrees 57 minutes 05 seconds East, 52.35 feet to a point; thence following a counterclockwise curve with an arc distance of 48.04 feet, having a radius of 59.50 feet, subtended by a chord bearing and distance of North 54 degrees 06 minutes 21 seconds East, 46.74 feet to a point; thence North 30 degrees 58 minutes 36 seconds East, a distance of 304.57 feet to a point; thence South 42 degrees 25 minutes 13 seconds East, a distance of 10.53 feet to a point; thence North 47 degrees 36 minutes 40 seconds East, a distance of 56.97 feet to a 1/2 inch rebar set on the westerly right of way of Roxboro Road (having a variable right of way width); thence along said right of way, South 42 degrees 33 minutes 43 seconds East, a distance of 56.84 feet to a point on said right of way, thence following a counterclockwise curve with an arc distance of 8.71 feet, having a radius of 19.50 feet, subtended by a chord bearing and distance of South 43 degrees 46 minutes 13 seconds West, 8.64 feet to a 1/2 inch rebar set; thence leaving said right of way, South 30 degrees 58 minutes 36 seconds West, a distance of 53.42 feet to a point; thence South 52 degrees 46 minutes 41 seconds West, a distance of 32.31 feet to a point; thence South 30 degrees 58 minutes 36 seconds West, a distance of 237.31 feet to a point; thence following a counterclockwise curve with an arc distance of 62.92 feet, having a radius of 84.50 feet, subtended by a chord bearing and distance of South 09 degrees 38 minutes 46 seconds West, 61.47 feet to a point; thence following a clockwise curve with an arc distance of 30.82 feet, having a radius of 75.50 feet, subtended by a chord bearing and distance of South 00 degrees 00 minutes 40 seconds West, 30.61 feet to a point; thence following a counterclockwise curve with an arc distance of 66.16 feet, having a radius of 84.50 feet, subtended by chord bearing and distance of South 10 degrees 43 minutes 19 seconds East, 64.48 feet to a point on the easterly right of way of Lakeside Drive being Point of Beginning.

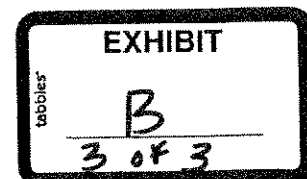


Legal Description:

ROW Dedication 3

All that tract or parcel of land lying and being in Land Lots 9 and 45 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a 1/2 inch rebar set at the intersection of the southerly right of way of Kingsboro Road (having a variable right of way width) with the easterly right of way of Oak Valley Road (having a variable right of way width); thence proceed North 65 degrees 14 minutes 40 seconds East a distance of 79.00 feet to a 3/8 inch rebar found; thence South 25 degrees 14 minutes 54 seconds East, a distance of 148.41 feet to a 1/2 inch rebar found; thence North 65 degrees 09 minutes 00 seconds East a distance of 80.34 feet to a 1/2 inch rebar set; thence North 65 degrees 13 minutes 49 seconds East a distance of 78.09 feet to point, being the Point of Beginning; thence from said Point of Beginning as thus established; thence North 65 degrees 13 minutes 49 seconds East, a distance of 5.15 feet to a point; thence following a counterclockwise curve with an arc distance of 88.57 feet, having a radius of 251.44 feet subtended by a chord bearing and distance South 39 degrees 55 minutes 58 seconds East, 88.12 feet to a point; thence South 57 degrees 42 minutes 20 seconds East, a distance of 56.10 feet to a point; thence South 58 degrees 00 minutes 47 seconds East, a distance of 92.08 feet to a point; thence North 61 degrees 16 minutes 13 seconds West, a distance of 18.11 feet to a point; thence North 61 degrees 03 minutes 57 seconds West, a distance of 48.49 feet to a point; thence North 60 degrees 37 minutes 10 seconds West, a distance of 30.07 feet to a point; thence North 58 degrees 55 minutes 29 seconds West, a distance of 9.32 feet to a point; thence North 59 degrees 38 minutes 02 seconds West, a distance of 4.18 feet to a point; thence North 58 degrees 21 minutes 41 seconds West, a distance of 29.17 feet to a point; thence following a clockwise curve with an arc distance of 48.80 feet, having a radius of 158.24 feet, subtended by a chord bearing and distance of North 50 degrees 08 minutes 11 seconds West, 48.60 feet to a point; thence North 38 degrees 07 minutes 18 seconds West, a distance of 14.23 feet to a point; thence following a clockwise curve with an arc distance of 38.18 feet, having a radius of 280.00 feet, subtended by a chord bearing and distance of North 31 degrees 06 minutes 41 seconds West, 38.15 feet to a point being the Point of Beginning.



AN AMENDED ORDINANCE BY

06-O-1957

CITY UTILITIES COMMITTEE

**TO ABANDON A PORTION OF LAKESIDE DRIVE
BETWEEN WRIGHT AVENUE AND KINGSBORO ROAD,
BEING MORE SPECIFICALLY DESCRIBED IN THE
LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A";
SAID PROPERTY LYING AND BEING IN LAND LOT 9 OF
DISTRICT 17, FULTON COUNTY, GEORGIA; AND FOR
OTHER PURPOSES.**

WHEREAS, Trelcom Development, Ltd. (the "Applicant"), has filed a formal petition with the City of Atlanta (the "City") to abandon the above-referenced property, said application containing the consent of the other abutting property owners to the abandonment, and statements that they do not intend to purchase a pro rata share of the area that the Applicant is requesting that the City abandon; and

WHEREAS, the Applicant filed its application in February, 2006 and paid a fee of \$2,500.00 for the abandonment, as specified by Section 138-9(a)(5) of the City of Atlanta Code of Ordinances; and

WHEREAS, the City of Atlanta pursuant to Resolution No. 06-R-0211 has authorized the Applicant to file an application to rezone the area of Lakeside Avenue described in the Legal Description attached as Exhibit "A"; and

WHEREAS, the Applicant has submitted a detailed plan to the Department of Public Works, the City of Atlanta Police Department and Fire Department; and

WHEREAS, the Applicant has conducted numerous meetings with Neighborhood Planning Unit B and impacted Neighborhoods; and

WHEREAS, the Applicant, Neighborhoods, and Neighborhood Planning Unit B wish to have a decision regarding amendment to Comprehensive Development Plan, rezoning and street abandonment to be considered concurrently; and

WHEREAS, this abandonment request has been reviewed and approved by the City agencies, neighborhood planning units and other applicable entities referenced in Section 138-9(b)(2); and

WHEREAS, NPU B recommends that the right-of-way that is the subject of this abandonment request be abandoned by the City of Atlanta; and

WHEREAS, the abandonment will not adversely affect traffic flow in the area; and

WHEREAS, the abandonment right-of-way shall become part of the development which is the subject of Applicant's application to rezone the property which is the subject of the abandonment.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the Applicant has met the requirements of Section 138-9 of the City of Atlanta Code of Ordinances, including having the abandonment request reviewed by the police, fire and planning departments.

SECTION 2: That the portion of the above-referenced property, whose legal description is as shown on the attached Exhibit "A," is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 3: The Applicant shall dedicate the land to the City that is described in Exhibit "B."
(NEW)

SECTION 4: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

SECTION 5: The Applicant shall pay all costs associated with the design and construction of the Wright Avenue right-of-way extension contemplated for the land in Exhibit "B" as shown in Rezoning Application Z-06-30.

SECTION 6: Prior to the land exchange proposed herein, the fair market value of the land contained in Exhibit "A" and the land contained in Exhibit "B" will be determined by appraisal. In the event the fair market value of the property contained in Exhibit "A" exceeds the fair market value of the property contained in Exhibit "B," the Applicant agrees to compensate the City of Atlanta in an amount equal to the difference in value and said compensation shall occur prior to or simultaneously with the execution of the deeds described in Section 7 below. In the event the fair market value of the property contained in Exhibit "B" exceeds the fair market value of the property contained in Exhibit "A," the City of Atlanta shall not be required to compensate the Applicant for the difference in value. The requirements of this Section 6 shall not result in the City of Atlanta denying or refusing to approve Transportation Impact Fee Credits otherwise due to Applicant if eligible pursuant to City Code.

SECTION 7: That the Mayor is hereby authorized to execute a Quitclaim Deed to Applicant conveying any interest that the City may have in the above-described portion of Lakeside Drive abandoned herein simultaneously with the Applicant's execution of a warranty deed in favor of

the City of Atlanta for the land described in Exhibit "B."

SECTION 8: The date of execution of this Ordinance by the Mayor shall be the effective date of abandonment.

SECTION 9: That all Ordinances and parts of Ordinances in conflict herewith are hereby waived in this instance only.

A true copy,



Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

SEP 18, 2006
SEP 21, 2006

**LEGAL DESCRIPTION
ROW TO BE ABANDONDED
Existing Lakeside Drive**

All that tract or parcel of land lying and being in Land Lot 9 and 45, 17th District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at the right of way intersection of the southerly right-of-way line of Kingsboro Road (r\w varies) and the easterly right-of-way line of Oak Valley Road (r\w varies); thence North $65^{\circ}14'40''$ East for a distance of 79.00 feet to a point; thence South $25^{\circ}14'54''$ East for a distance of 148.41 feet to a point; thence North $65^{\circ}09'00''$ East for a distance of 80.34 feet to a point; thence North $65^{\circ}13'49''$ East for a distance of 78.09 feet to a point; thence, along the arc of a curve to the left a distance of 88.57 feet said arc having a radius of 251.44 feet and being subtended by a chord with a bearing and distance of South $39^{\circ}55'58''$ East 88.12 feet; thence South $57^{\circ}42'20''$ East for a distance of 56.10 feet to a point; thence South $58^{\circ}00'47''$ East for a distance of 117.98 feet to a point; thence South $57^{\circ}34'57''$ East for a distance of 127.73 feet to a point; thence South $57^{\circ}38'49''$ East for a distance of 64.91 feet to a point; thence North $34^{\circ}39'23''$ East for a distance of 56.75 feet to a point; thence South $49^{\circ}34'44''$ East for a distance of 69.90 feet to a point; thence South $42^{\circ}05'05''$ East for a distance of 109.88 feet to a point; thence South $37^{\circ}46'48''$ East for a distance of 70.99 feet to a point; said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence North $65^{\circ}02'31''$ East for a distance of 69.67 feet to a point; thence North $33^{\circ}58'49''$ East for a distance of 218.46 feet to a point; thence North $32^{\circ}01'54''$ East for a distance of 131.07 feet to a point; thence South $42^{\circ}25'13''$ East for a distance of 6.87 feet to a point; thence North $47^{\circ}36'40''$ East for a distance of 56.97 feet to a point; thence North $80^{\circ}00'41''$ East for a distance of 1.87 feet to a point; thence South $31^{\circ}06'06''$ West for a distance of 130.66 feet to a point; thence South $32^{\circ}58'04''$ West for a distance of 77.91 feet to a point; thence South $34^{\circ}14'27''$ West for a distance of 39.86 feet to a point; thence South $33^{\circ}58'49''$ West for a distance of 101.24 feet to a point; thence, along the arc of a curve to the left a distance of 15.41 feet said arc having a radius of 13.25 feet and being subtended by a chord with a bearing and distance of South $00^{\circ}15'32''$ East 14.56 feet; thence, along the arc of a curve to the right a distance of 91.79 feet said arc having a radius of 85.00 feet and being subtended by a chord with a bearing and distance of South $08^{\circ}38'09''$ East 87.40 feet; thence, along the arc of a curve to the left a distance of 38.61 feet said arc having a radius of 25.21 feet and being subtended by a chord with a bearing and distance of South $17^{\circ}59'30''$ East 34.95 feet; thence, along the arc of a curve to the left a distance of 14.01 feet said arc having a radius of 342.75 feet and being subtended by a chord with a bearing and distance of South $65^{\circ}40'57''$ West 14.01 feet; thence, along the arc of a curve to the right a distance of 55.23 feet said arc having a radius of 257.00 feet and being subtended by a chord with a bearing and distance of North $60^{\circ}41'00''$ West 55.12 feet; thence South $86^{\circ}40'49''$ West for a distance of 43.51 feet to a point; thence North $37^{\circ}43'00''$ West for a distance of 89.70 feet to a point; thence North $37^{\circ}46'48''$ West for a distance of 28.62 feet to a point; said point of being the TRUE POINT OF BEGINNING. Said tract of land contains 1.081 acres.

LEGAL DESCRIPTION
PROPOSED ROW I
Lakeside Drive Additional ROW

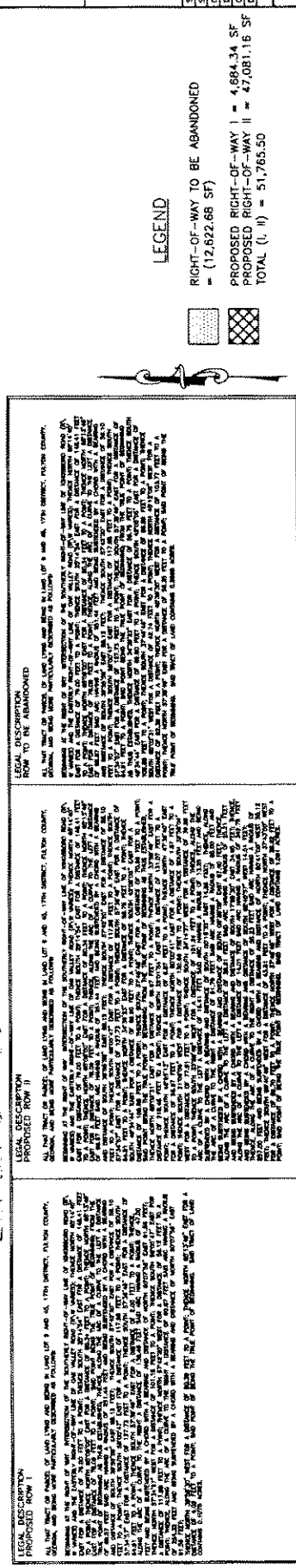
All that tract or parcel of land lying and being in Land Lot 9 and 45, 17th District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at the right of way intersection of the southerly right-of-way line of Kingsboro Road (r\w varies) and the easterly right-of-way line of Oak Valley Road (r\w varies); thence North 65°14'40" East for a distance of 79.00 feet to a point; thence South 25°14'54" East for a distance of 148.41 feet to a point; thence North 65°09'00" East for a distance of 80.34 feet to a point; thence North 65°13'49" East for a distance of 78.09 feet to a point; said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, Thence, along the arc of a curve to the left a distance of 88.57 feet said arc having a radius of 251.44 feet and being subtended by a chord with a bearing and distance of South 39°55'58" East 88.12 feet; thence South 57°42'20" East for a distance of 56.10 feet to a point; thence South 58°00'47" East for a distance of 117.98 feet to a point; thence South 57°34'57" East for a distance of 127.73 feet to a point; thence South 57°38'49" East for a distance of 64.91 feet to a point; thence South 57°38'49" East for a distance of 2.00 feet to a point; Thence, along the arc of a curve to the right a distance of 138.46 feet said arc having a radius of 47.00 feet and being subtended by a chord with a bearing and distance of North 60°07'56" East 91.56 feet; thence North 57°34'57" West for a distance of 101.15 feet to a point; thence South 58°00'47" East for a distance of 117.98 feet to a point; thence North 57°42'20" West for a distance of 56.12 feet to a point; Thence, along the arc of a curve to the right a distance of 90.87 feet said arc having a radius of 254.32 feet and being subtended by a chord with a bearing and distance of North 60°07'56" East 91.56 feet; thence North 39°58'30" West for a distance of 90.39 feet to a point; thence North 65°13'49" East for a distance of 4.02 feet to a point; said point of being the TRUE POINT OF BEGINNING. Said tract of land contains 0.1075 acres.

LEGAL DESCRIPTION
PROPOSED ROW II
Wright Avenue Extention

All that tract or parcel of land lying and being in Land Lot 9 and 45, 17th District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at the right of way intersection of the southerly right-of-way line of Kingsboro Road (r/w varies) and the easterly right-of-way line of Oak Valley Road (r/w varies); thence North 65°14'40" East for a distance of 79.00 feet to a point; thence South 25°14'54" East for a distance of 148.41 feet to a point; thence North 65°09'00" East for a distance of 80.34 feet to a point; thence North 65°13'49" East for a distance of 78.09 feet to a point; thence, along the arc of a curve to the left a distance of 88.57 feet said arc having a radius of 251.44 feet and being subtended by a chord with a bearing and distance of South 39°55'58" East 88.12 feet; thence South 57°42'20" East for a distance of 56.10 feet to a point; thence South 58°00'47" East for a distance of 117.98 feet to a point; thence South 57°34'57" East for a distance of 127.73 feet to a point; thence South 57°38'49" East for a distance of 64.91 feet to a point; said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence North 34°39'23" East for a distance of 56.75 feet to a point; thence South 49°34'44" East for a distance of 69.90 feet to a point; thence South 42°05'05" East for a distance of 109.88 feet to a point; thence South 37°46'48" East for a distance of 86.89 feet to a point; thence South 65°02'31" West for a distance of 42.74 feet to a point; thence North 45°12'08" West for a distance of 82.32 feet to a point; thence North 40°38'30" West for a distance of 103.77 feet to a point; thence North 57°38'49" East for a distance of 56.35 feet to a point; said point of being the TRUE POINT OF BEGINNING. Said tract of land contains 0.2898 acres.



RCS# 539
9/18/06
3:20 PM

Atlanta City Council

REGULAR SESSION

06-O-1957

ABANDON A PORTION OF LAKESIDE DR.

ADOPT AS AMEND

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

06-O-1957

06-0-1957

(Do Not Write Above This Line)

AN ORDINANCE

BY CITY UTILITIES COMMITTEE

TO ABANDON A PORTION OF LAKESIDE DRIVE
BETWEEN WRIGHT AVENUE AND KINGSBORO
ROAD, BEING MORE SPECIFICALLY DESCRIBED IN
THE LEGAL DESCRIPTION ATTACHED AS EXHIBIT
"A"; SAID PROPERTY LYING AND BEING IN LAND
LOT 9 OF DISTRICT 17, FULTON COUNTY, GEORGIA
AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 18 2006

COUNCIL

AS AMENDED

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 9/5/06

Referred To: CU

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Date 9/11/06
Chair Referred To

Committee Date 9/22/06

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Hand Signed
Chair
Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

SEP 18 2006
ATTEST
J. J. [Signature]

SEP 18 2006
J. J. [Signature]

MAYOR'S ACTION
APPROVED

SEP 22 2006
[Signature]
MAYOR